

ATTACHMENT # A

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Plaintiff,) CASE NO.
v.)
Defendant.) MAGISTRATE JUDGE
) WILLIAM H. BAUGHMAN, JR.
)
)
) POSITION STATEMENT REGARDING
) AGENDA FOR CASE MANAGEMENT
) CONFERENCE

____ Plaintiff/____ Defendant [party's name]

pursuant to Federal Rule of Civil Procedure 26(f) and Local Rule 16.3(b)(3), hereby submits the following statement of its position regarding the agenda for the Case Management Conference to be held on _____:

1. This case should be assigned to the following track:

Expedited Standard Administrative
 Complex Mass Tort

2. This case _____ is/ _____ is not suitable for one or more of the following Alternative Dispute Resolution ("ADR") mechanisms:

Early Neutral Evaluation Summary Jury Trial
 Mediation Summary Bench Trial
 Arbitration

3. The parties _____ do/ _____ do not consent to the jurisdiction of the United States Magistrate Judge under 28 U.S.C. § 636(c).

4. **Non-Expert Discovery** shall be completed on or before _____.

Discovery shall be conducted according to the guidelines set forth in Local Rule 16.2(a) for cases assigned to the case management track referred to in item no. 1 above. The Court specifically directs the parties to comply with Local Rule 37.1, including the obligation to contact the presiding judicial officer by telephone, before filing any motion under Federal Rule of Civil Procedure 37 seeking aid from the Court in discovery matters.

5. **Expert reports** must be submitted to opposing counsel on or before _____, for the party bearing the burden of proof on the issue addressed. Responsive reports are due by _____. **Expert Discovery** shall be completed on or before _____.

6. **Filing of Discovery Materials.** Unless otherwise ordered by the Court, initial disclosures, discovery depositions, interrogatories, requests for documents, requests for admissions, and answers and responses thereto shall **not** be filed in the Electronic Case Filing System, except that discovery materials may be filed as evidence in support of a motion or for use at trial.

7. The **pleadings shall be amended** and **new parties shall be joined** on or before _____.

8. **Dispositive motions** shall be filed on or before _____. Motions for summary judgment may be filed at any time authorized under Rule 56, F.R.C.P., but the filing of such motions prior to the completion of discovery relevant to issues raised is discouraged. The requirements of Rule 56, including those under Rules 56(e) and (f), will be strictly applied.

COUNSEL FOR PLAINTIFF(S)/DEFENDANT(S)